

"It is never a good idea to guarantee the best way to produce for many reasons. As patent costs I have to, you find out if you know is guaranteed?"



Robert M. Hunter, Ph.D.

Registered Patent Agent

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REGISTERED PATENT AGENT

YEAR 2000 SCHEDULE OF FEES

Obtaining high-quality patent protection in the U.S. alone for a new technological invention can cost thousands of dollars. If you are unwilling or unable to make this level of investment in your invention at this point in time, read no further. Instead, consider whether other approaches to protecting your idea might work.

The following fees (in U.S. dollars) are associated with each step in the patenting process for a high-technology invention of average complexity. All fees reflect a small entity (less than 500 employees) discount. After a confidential disclosure of the invention is made to the registered patent agent, a lump-sum (fixed) fee or estimated (not-to-exceed) fee can be quoted. Only after I understand what your invention is and how much of the text of the draft patent application has already been prepared (by you) can I give you a better estimate of costs than is presented below.

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Activity	Patent Agent	Other Professional	U.S. Patent and Trademark Office
Initial consultation	Free	NA	NA
Patentability search	Coordinate	Patent Search Firm	NA
Mechanical invention	\$130 - 260	\$350-550 plus copies	
Electrical invention	\$130 - 260	\$450-650 plus copies	
Chemical invention	\$130 - 260	\$550-770 plus copies	
Biotechnology	\$130 - 260	\$650-1,100 plus	

invention		copies	
Provisional U.S. patent application	Average complexity; priority of basic invention established		
Mechanical invention	\$1,200	Patent Draftsman	<u>Provisional application filing fee</u> (second column)
Electrical invention	\$1,800	\$110-160 per drawing	
Chemical invention	\$1,500		
Biotechnology invention	\$1,900		
Regular U.S. utility patent application	Average complexity; no provisional application prepared		
Mechanical invention	\$2,800-5,800	Patent Draftsman	<u>Basic filing fee - utility</u> (second column)
Electrical invention	\$6,500-12,000	\$110-160 per drawing	
Chemical invention	\$7,000-10,000		
Biotechnology invention	\$10,000-14,000		
International (PCT) patent application	\$1,100 provided a regular U.S. patent application has been filed	NA	<u>PCT filing fees</u>
Each response to USPTO action	\$800-1,600	NA	None required if no additional claims added
Appeal final rejection by Examiner	\$5,000-7,000	NA	<u>Appeal fees</u> (second column)
Petition to the Commissioner	\$260-1,500	NA	<u>Petition fees</u>
U.S. design patent application	\$600-1,000	Patent Draftsman \$160-\$260 per drawing	<u>Design filing fee</u> (second column)
Prepare patent for issue	\$260	Modification of drawings may be required	<u>Issue fees</u> (second column)
Pay patent maintenance fees, if requested	Remind patentee and pay fee, if desired		
3.5 year fee	\$260	NA	<u>Maintenance fees</u> (second column)
7.5 year fee	\$260		
11.5 year fee	\$260		

Hourly Rates

Registered patent agent: \$130

Litigation consulting/expert witness: \$350

Payment

A handling surcharge of 10 percent is added to all out-of-pocket expenses.

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Retainer--At the time the registered patent agent is retained to perform an assignment, a retainer equal to 50 percent of the estimated fee is to be paid. Some patent searchers ask that their full fee be paid before services are provided. If time is critical, I ask that you submit a check covering the retainer for an invention of average complexity (see above) along with your invention disclosure. I will then prepare a free estimate of total costs. In this way, after I receive your OK, I can start working immediately and not have to wait for your check to arrive.

Balance of fee is due upon task completion.

Emergency Actions

Expedited task surcharge for assignments with less than a 4-week lead time--15 percent of normal fee.

Expedited task surcharge for assignments with less than a 2-week lead time--25 percent of normal fee.

Cautions

Patent search services and patentability opinions are not infallible. That is, a patentability (novelty) search of reasonable duration may not (and probably will not) find all of the prior art in existence everywhere in the world. The validity of an issued patent can be threatened if a prior art reference was not brought to the attention of the Examiner during prosecution of the patent application.

The quality of an issued patent can be affected by factors controlled by the inventor(s). One such factor is the thoroughness of the patentability search authorized by the inventor(s). Another is the ability of the inventor(s) to "teach" the invention and the differences between the invention and the prior art to a competent and experienced, registered patent agent who has the ability to understand inventions of that type. There can be a vast difference between the quality of a "minimal cost" patent and a well-prepared, but valuable, one. In other words, in the intellectual property field as in many others, "You get what you pay for."

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